

# Superior Axle, LLC

3001 Tuscany Drive  
Elkhart, IN 46514

December 17, 2013

Grace Co, Enforcement Specialist  
U.S. Environmental Protection Agency, Region 5  
Superfund Division, Enforcement and Compliance Assurance Branch  
77 West Jackson Boulevard, (SE-5J)  
Chicago, Illinois 60604-3590



RE: Superior Tire & Axle, Inc.  
Request for Information Pursuant to Section 104€ of CERCLA  
Lusher Street Groundwater Contamination Site, Elkhart, Indiana  
Sire ID No: 05AB

Answers to Enclosure 4:

1. The property located on 2417 Oakland Avenue, Elkhart, Indiana, was purchased in October 2000. (See attached Schedule A). Superior Tire & Axle, Inc. moved out of 2417 Oakland Avenue, Elkhart, Indiana in July 2008 to move into facility at 3001 Tuscany Drive, Elkhart, Indiana. Superior Tire & Axle, Inc. closed its business operations December 31, 2009.
2. No.
3. None
4. None
5. None
6. None
7. None

Persons contributing to the above answers: Darrell Pritt and James H. Roberts, III.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted.

Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sincerely,

A handwritten signature in black ink, appearing to read "Dar Pritt".

Darrell Pritt  
Secretary

QUESTION #1

**SCHEDULE A**

**MERIDIAN TITLE CORPORATION**

405 S. Second Street, Ste 100  
Elkhart, IN 46516-3299  
(219) 293-3075  
FAX (219) 674-0070

File No.: 3512E00

Effective Date: October 18, 2000 at 8:00 AM

Customer Reference No.:

Property Address:

Prepared For: Thorne Grodnik Ransel Duncan Byron  
& Hostettler

Inquiries Should be Directed to : Ronald W. Taylor/ksk

1. Policy or Policies to be issued:

(a) ☐ ALTA Owner's Policy - 10/17/92 Amount

Proposed Insured:

(b) ☐ ALTA Loan Policy - 10/17/92 Amount

-0-

Proposed Insured: NONE

2. The estate or interest in the land described or referred to in this Report is Fee Simple.

3. Title to said estate or interest in said land is at the effective date hereof vested in:

Leininger Properties, Inc., an Indiana corporation

4. The land referred to in this Report is located in the County of Elkhart, State of Indiana described as follows:

**SEE ATTACHED EXHIBIT A**

This Report is valid only if Schedule B is attached.  
Schedule A consists of 2 page(s)

## EXHIBIT A

A part of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of Section Eighteen (18), Township thirty-seven (37) North, Range Five (5) East, Concord Township, Elkhart County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of said quarter-quarter section; thence Westwardly along the North line of said quarter-quarter section, Four hundred seven and fifty hundredths (407.50) feet; thence South parallel with the East line of said quarter-quarter section, Thirty (30) feet to the place of beginning of this description; thence South parallel with the East line of said quarter-quarter section, One hundred fifty-seven (157) feet; thence Westwardly parallel with the North line of said quarter-quarter section, Thirty-five (35) feet; thence South parallel with the East line of said quarter-quarter section, One hundred seventy-one and fifty-four hundredths (171.54) feet; thence Westwardly parallel with the North line of said quarter-quarter section, One hundred sixty-five (165) feet; thence North parallel with the East line of said quarter-quarter section, Three hundred twenty-eight and fifty-four hundredths (328.54) feet to the South right-of-way line of Leininger Avenue; thence East parallel with the North line of said quarter-quarter section, and along the South line of said Leininger Avenue, Two hundred (200) feet to the place of beginning.

## ALSO:

A part of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of Section Eighteen (18), Township Thirty-seven (37) North, Range Five (5) East, Concord Township, Elkhart County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of said quarter-quarter section; ;thence South along the East line of said quarter-quarter section, One hundred eighty-five (185) feet to the place of beginning of this description; thence continuing South along the East line of said quarter-quarter section, One hundred seventy-three and fifty-four hundredths (173.54) feet; thence Westwardly parallel with the North line of said quarter-quarter section, Four hundred forty-two and fifty hundredths (442.50) feet; thence North parallel with the East line of said quarter-quarter section, One hundred seventy-one and fifty-four hundredths (171.54) feet; thence Eastwardly parallel with the North line of said quarter-quarter section, Thirty-five (35) feet; thence North parallel with the East line of said quarter-quarter section, Two (2) feet; thence Eastwardly parallel with the North line of said quarter-quarter section, Four hundred seven and fifty hundredths (407.50) feet to the place of beginning.

THE POLICY OR POLICIES TO BE ISSUED WILL CONTAIN EXCEPTIONS TO THE FOLLOWING MATTERS UNLESS THE SAME ARE DISPOSED OF TO THE SATISFACTION OF THE COMPANY.

1. Defects, liens, encumbrances, adverse claims, or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Report.
2. Standard Exceptions:
  - a) Rights or claims of parties in possession not shown by the public records.
  - b) Easements, or claims of easements, not shown by the public records.
  - c) Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the premises.
  - d) Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

3. Special Exceptions:

- a) Taxes for the year 2000 payable in 2001 are a lien not yet due and payable.
- b) Taxes for the year 1999 payable in 2000 are as follows:  
 Key No. 25-06-18-276-006 - Elkhart City Concord Township  
 1<sup>st</sup> installment due May 10, 2000 \$1686.02 - paid  
 2<sup>nd</sup> installment due Nov 10, 2000 \$1686.02 - unpaid

Assessed Valuations:	99-00	00-01
Land	\$8530.00	\$2300.00
Improvements	\$28300.00	\$28430.00
Residential Land	\$0.00	\$0.00
Residential Improvements	\$0.00	\$0.00
Exemptions (Mortgage)	\$0.00	\$0.00
Exemptions (Homestead)	\$0.00	\$0.00
Exemptions ()	\$0.00	\$0.00
Net Valuations	\$36830.00	\$30730.00

Key No. 25-06-18-276-007 - Elkhart City Concord Township.  
 1st installment due May 10, 2000 \$1819.23 - paid  
 2nd installment due Nov 10, 2000 \$1819.23 - unpaid

Assessed Valuations:	99-00	00-01
Land	\$10970.00	\$2930.00
Improvements	\$28770.00	\$28900.00
Residential Land	\$0.00	\$0.00
Residential Improvements	\$0.00	\$0.00
Exemptions (Mortgage)	\$0.00	\$0.00

This Report is valid only if Schedules A and B are attached.  
 Schedule B2 consists of 2 page(s)

Exemptions (Homeowners)	\$0.00	\$0.00
Exemptions ()	\$0.00	\$0.00
Net Valuations	\$39740.00	\$31830.00

NOTE: Tax information supra is limited to the date of the most current computer input information in the Treasurer's Office and not necessarily the effective date hereof. A check with the Treasurer's Office should be made to determine the exact amount of taxes due, if any.

PLEASE NOTE EXEMPTION VALUATION INFORMATION MAY NOT BE FULLY POSTED.

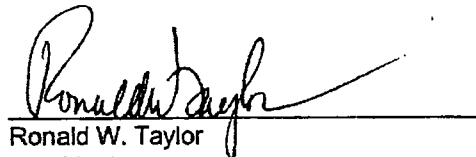
- c) Mortgage in the amount of \$275,000.00 from Leininger Properties, Inc. to Pritt Farms, Inc. dated December 17, 1993 and recorded February 5, 1996 as Document Number 96002492 in the Office of the Recorder of Elkhart County, Indiana.
- d) Mortgage in the amount of \$75,000.00 from Leininger Properties, Inc. to Melvin D. Pritt dated December 17, 1994 and recorded February 5, 1996 as Document Number 96002493 in the Office of the Recorder of Elkhart County, Indiana.
- e) Subject to all legal highways and rights of way.

#### LIMITATION OF LIABILITY AND SEARCH

The liability of this Company shall not exceed \$1,000.00 for any loss covered hereunder, including attorney's fees and court costs.

This information in commitment form is not an abstract or opinion of title, nor is it a commitment to insure title. This information is furnished for reference purposes only and should not be relied upon for title purposes when acquiring or conveying an interest in the land. It may not be relied upon as a commitment to insure title to the land identified herein. If title insurance coverage is desired, application should be made for a title insurance commitment in a specified amount and identifying the proposed insured.

#### MERIDIAN TITLE CORPORATION

  
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Ronald W. Taylor  
President